

REMARKS

Claims 1 to 14 are pending in the case. The Examiner's reconsideration of the rejection is respectfully requested in view of the amendments and the remarks.

Claims 1 to 14 have been rejected under 35 U.S.C. 102(a) as being anticipated by Poston et al., *Dextrous Virtual Work*, Communications of the ACM, May 1996, pages 37 to 45. The Examiner stated essentially that Poston teaches all the limitations of claims 1 to 14.

Claim 1 recites, *inter alia*, "determining at least one graphics proximity marker for indicating a proximity of a predetermined portion of an instrument to a target; and rendering the at least one graphics proximity marker such that the proximity of the predetermined portion of the instrument to the target is ascertainable based on a position of a marker on the instrument with respect to the at least one graphics proximity marker." Claim 8 claims, *inter alia*, "a graphics proximity marker generator for generating at least one graphics proximity marker that indicates a proximity of a predetermined portion of an instrument to a target; and a rendering device for rendering the at least one graphics proximity marker such that the proximity of the predetermined portion of the instrument to the target is ascertainable based on a position of a marker on the instrument with respect to the at least one graphics proximity marker."

Poston teaches that to calibrate a real space and a virtual space, a tip of a real handle is matched to the apparent positions of colored markers drawn at stereo coordinates, wherein sensor values of the real handle are reported for each location of the markers. (See Fig. 3, and page 40, paragraph 3.) Poston does not teach graphics proximity markers, much less, "rendering the at least one graphics proximity marker such

that the proximity of the predetermined portion of the instrument to the target is ascertainable based on a position of a marker on the instrument with respect to the at least one graphics proximity marker” as claimed in claims 1 and 8. Poston teaches how to calibrate a real space and a virtual space using markers. However, Poston does not teach the markers are used to indicate proximity. Poston merely relies on a user’s perspective to suggest proximity as described at page 39, paragraph 3, wherein a given fixed view may be insufficient to estimate the proximity of an object such that a user’s head movement can achieve a new view to perceive proximity. Accordingly Poston does not teach graphics proximity markers, essentially as claimed in claims 1 and 8. Accordingly, Poston fails to teach every limitation of claims 1 and 8.

Claims 2 to 7 depend from claim 1. Claims 9 to 14 depend from claim 8. The dependent claims are believed to be allowable for at least the reasons given for claims 1 and 8. At least claims 5 and 12 are believed to be allowable for additional reasons.

Claims 5 and 12 recite, *inter alia*, “wherein the proximity comprises a first measure of proximity for indicating an outer surface of a target volume and a second measure of proximity for indicating an inner portion of the target volume.”

Poston teaches estimating inner and outer contours of the heart, in individual slices. (See page 43.) Poston merely teaches determining a contour in a slice. Poston does not teach a proximity to either the inner or the outer contours. Therefore, Poston does not teach, “wherein the proximity comprises a first measure of proximity for indicating an outer surface of a target volume and a second measure of proximity for indicating an inner portion of the target volume” as claimed in claims 5 and 12.

Accordingly claims 5 and 12 are believed to be allowable in view of Poston.

The Examiner's reconsideration of the rejection is respectfully requested.

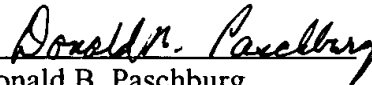
Claims 15 and 17 claim "indicating the path to the target by a shape having a window, wherein the window marks the path." Poston teaches that a white line shows a path of a probe. (See page 42, last paragraph.) Poston does not teach a shape having a window as claimed in claims 15 and 17. Therefore, Claims 15 and 17 are believed to be allowable in view of Poston.

Claims 16 and 18 claim "a pattern of lines centered on the target, wherein at least two lines are spaced differently from at least one other line, wherein the at least two lines frame a path." Poston teaches that a white line shows a path of a probe. (See page 42, last paragraph.) Poston does not teach a pattern of lines centered on the target. Therefore, Claims 16 and 18 are believed to be allowable in view of Poston.

For the forgoing reasons, the present application, including claims 1 to 14, is believed to be in condition for allowance. The Examiner's early and favorable action is respectfully urged.

Respectfully Submitted,

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